

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**JOSEPH BOLOGNA and
DIANA BOLOGNA,**

Plaintiffs,

v.

LAWRENCE KRASNER,

and

TRACY TRIPP,

and

SGT. GERALD ROCKS,

and

THE CITY OF PHILADELPHIA,

Defendants.

Case No. 2:24-cv-03185-JHS

NOTICE OF APPEAL

Notice is hereby given that Defendants Lawrence Krasner, Tracy Tripp, and Sgt. Gerald Rocks (the “**DAO Defendants**”) appeal to the United States Court of Appeals for the Third Circuit from the June 25, 2025 Memorandum Opinion [ECF 55] and Order [ECF 56] denying the DAO Defendants Motion to Dismiss Plaintiff Joseph Bologna’s Complaint on the basis of absolute and qualified immunity.¹

¹ The denial of absolute and qualified immunity is immediately appealable under the collateral order doctrine, as the finding of immunity constitutes an entitlement not to stand trial. *Mitchell v. Forsyth*, 472 U.S. 511 (1985); *Dotzel v. Ashbridge*, 438 F.3d 320 (E.D.Pa. 2006).

DATED: July 21, 2025

/s/ David Smith

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CERTIFICATE OF SERVICE

I, David Smith, hereby certify that on July 21, 2025, a true and correct copy of the foregoing Notice of Appeal was served upon all counsel of record via the Court's electronic filing system, as follows:

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